

REMARKS

As a preliminary matter, Applicants appreciate the Examiner's indication of allowable subject matter contained in claim 4. Claims 1-3, 5-7, and 11-25 stand rejected under 35 U.S.C. 102(b) as being anticipated by Genheimer (U.S. Patent No. 5,801,899). In response, Applicants amended independent claims 1, 11, 20-22, and 24 to include the feature of the shroud or first member having an end in a rotational direction of the disk, the end being separated from a surface of the spoiler by a distance of 5mm or less, with the surface receiving airflow generated by disk rotation, and respectfully traverse.

Claims 1, 11, 20-22, and 24 are amended to incorporate the allowable subject matter of claim 4, which is cancelled. For this reason, allowance of claim 1, its depending claims 2-7, independent claim 11, its depending claims 12-16, independent claims 20-21, independent claim 22, its dependent claim 23, and independent claim 24 including its dependent claim 25 is respectfully requested.

With respect to independent claim 17 and depending claims 18-19, Applicants traverse the rejection because the cited reference does not disclose (or suggest) an airflow-regulating member that is "provided in proximity to a boundary between the first area where an inner wall of the housing of the disk run side by side with the peripheral edge of the disk and a second area where a distance between the inner wall and the peripheral edge becomes longer than in the first area".

Independent claim 17 calls for an airflow-regulating member. As shown in FIG. 6 of the present invention, a spoiler 80 is provided in close proximity to a boundary 12

between an area where an inner wall 13 of a base 10 runs side by side with a peripheral edge 21 of a magnetic disk 20, and an area where the inner wall 13 moves away from the peripheral edge 21 (see Applicants' specification, page 14, lns. 18-23).

As previously argued in Amendment B, the snubber and snubber arms of Genheimer serve a different purpose than the spoiler/airflow-regulating member or second member of the present invention. However, even assuming *arguendo* that the snubber of Genheimer is equivalent to the spoiler of the present invention, Applicants believe that Genheimer does not have the snubber located relative to the inner wall like the present invention. For these reasons, Applicants respectfully request reconsideration and allowance of claim 17 and its depending claims 18-19.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



Joseph P. Fox

Registration No. 41,760

October 1, 2004

300 South Wacker Drive - Suite 2500

Chicago, Illinois 60606

Tel.: (312) 360-0080

Fax: (312) 360-9315

Customer Number 24978

P:\DOCS\0941\65715\694732.DOC